UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,598	02/28/2000	Sadeg M. Faris	105-081USA000	8586

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REVEO, INC.
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EXAMINER
BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 02/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.
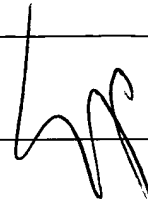
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 November 2000</u> .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>173-185 and 191</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>173-185 and 191</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 173-174 and 175-178 are rejected under 35 U.S.C. 102(e) as being anticipated by

Cheng et al. (U. S. 6,151,643).

Cheng et al. teach to a system and method for providing information for software residing

on a client computer, comprising:

As per claims 173 and 174,

- a set of Web-enabled client machines (column 6, lines 14-16, 51-62);

- a contestant database for storing registration information (column 7, lines 12-39);

- a master web server for storing and providing the web site content to client machines

(column 6, lines 11-16);

- a plurality of mirrored web servers each is connected to said contestant database,

wherein said master web server transmits copies of the contest web site to said plurality of

mirrored web servers (column 16, lines 31-34).

As per claims 175-177,

(a) using a client machine to initially connect to the contest-promoting system (column

7, lines 5-14);

(b) using login server to choose which game server should be utilized (column 7, line 46

through column 8, line 31; column 23, lines 1-17);

(c) using load balancing algorithms to distribute the connections to the game servers

(column 16, lines 26-36).

As per claim 178, said method wherein the login server accesses the contestant database

to check passwords and the status of the contestant (column 7, lines 12-45).

Claims 179-185 and 191 are rejected under 35 U.S.C. 102(e) as being anticipated by

Schneier et al. (U. S. 5,970,143).

Schneier et al. teach to a method and apparatus for encoding a message corresponding to

an outcome of a computer game, comprising:

As per claims 179 and 182-184,

(a) registering each user as a contestant using a web browser (column 8, lines 9-11;

column 23, lines 36-60);

(b) creating a globally-synchronized networked client machine through which the

contestant participates in time-constrained question and answer contest (Fig. 20; column 54, lines

44-45; column 56, lines 30-33);

(c) using the contest client software on the client machine to log on to the game server (column 23, lines 36-60);

(d) transmitting the query and start-time from the primary server to the client machine (column 32, line 65 through column 33, lines 23; column 39, lines 38-53);

(e) characterizing the client machine's local clock with the master clock on the primary server (column 39, lines 52-65);

(f) presenting the query to the contestant precisely at the start-time, as determined by a local clock that is characterized with respect to a global master clock located on the primary server (column 33, lines 12-23);

(g) accepting the contestants response, attaching a time-stamp to that response, and transmitting the response and time-stamp to the servers (column 39, lines 65-67);

(h) judging the responses from all the contestants and determining the winner (column 75, lines 30-32).

As per claim 180, said method, comprising the step of determining each contestant's standing or rank for the contest (column 30, lines 63-65).

As per claim 181, said method, wherein step (a) comprises browsing a contest WWW site containing information about the contest, including advertising and ranks of other contestants (column 11, lines 9-19; column 33, lines 7-28).

As per claim 185, said method, wherein step (a) comprises:

- creating a record in the contestant database for the user upon completion receipt of the registration information (column 23, lines 36-60);

- storing the registration information in the record (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- establishing the user as a contestant (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- assigning a contestant ID to the new contestant (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- recording the contestant ID in the contestant database (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- assigning the contestant a username and a temporary password (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- sending an e-mail message containing the username and temporary password (column 11, lines 56-58; column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- logging said contestant onto secure area of the contest website using his username and temporary password (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

- downloading and installing the contest software from the web server to the client machine thereby enabling the client machine for participation in a competition (column 23, lines 36-60; column 30, line 20 through column 31, line 10);

As per claim 191, said method, comprising:

(a) human operators entering the questions and associated answers (column 23, lines 36-60; column 30, lines 20-48);

(b) before the contest begins, the game server sending its public encryption key to the primary server (column 10, line 10 through column 12, line 18);

(c) primary server sending its public encryption key to the game server (column 10, line 10 through column 12, line 18);

(d) accessing the system through the contest management interface and selecting the queries (column 10, line 10 through column 12, line 18);

(e) assigning a desired start-time for each query (column 32, line 65 through column 33, line 29);

(f) the primary server generating a unique set of query encryption and decryption keys for each query and start-time (column 32, line 65 through column 33, line 29);

(g) the primary server encrypting the query (column 14, line 64 through column 23, line 60);

(h) the primary server creating a message containing the encrypted query and decryption key (column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(i) encrypting the message using the game server's public encryption key (column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(j) sending the message from the primary server to the game server (column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(k) the game server decrypting the message and creating and encrypting a new message using the client machine's public key (column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(l) sending the resulting message to the client machine (column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(m) the client machine decrypting the message (column 14, line 64 through column 23,

line 60; column 32, line 65 through column 33, line 29);

(n) the client machine creating and appending data to a security verification log file

(column 14, line 64 through column 23, line 60; column 32, line 65 through column 33, line 29);

(o) the security verification log recording the arrival-time of the encrypted query (column 14,

line 64 through column 23, line 60; column 32, line 65 through column 33, line 29).

Response to Arguments

Applicant's arguments filed 11/29/02 have been fully considered but they are not

persuasive.

In response to applicant's argument that Cheng et al. fail to "disclose transmitting copies

of the contest web site to the plurality or mirror web servers", examiner stipulates that Cheng et

al. specifically teach a plurality of mirror web servers transmitting copies of the contest web site

(See Cheng et al., column 10, line 26 through column 12, line 20; column 16, lines 20-37;

column 23, lines 1-17).

In response to applicant's argument that Cheng et al. fail to "disclose connecting the

user's computer to a contest-promoting system", examiner points out that Cheng et al.

specifically teach connecting the user's computer to a game promoting server (See column 23,

lines 1-17).

In response to applicant's argument that Schneier et al. fail to "disclose the transmission,

downloading and use of the start time for Internet users", examiner stipulates that Schneier et al.

specifically teach these features (See Schneier et al., column 32, line 65 through column 33, line

29).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication should be directed to Igor Borissov at

telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Receptionist whose telephone number is

(703) 308-1113.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Supervisor, John Weiss, can be reached at (703) 308- 2702.
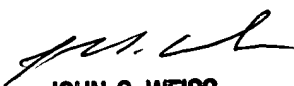
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

(703) 305-7687   [Official communications; including
After Final communications labeled
"Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,

Arlington, VA, 7th floor receptionist.

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Recent Statutory Changes to 35 U.S.C. § 102(e)

On November 2, 2002, President Bush signed the 21st Century Department of Justice Appropriations Authorization Act (H.R. 2215) (Pub. L. 107-273, 116 Stat. 1758 (2002)), which further amended 35 U.S.C. § 102(e), as revised by the American Inventors Protection Act of 1999 (AIPA) (Pub. L. 106-113, 113 Stat. 1501 (1999)). The revised provisions in 35 U.S.C. § 102(e) are completely retroactive and effective immediately for all applications being examined or patents being reexamined. Until all of the Office's automated systems are updated to reflect the revised statute, citation to the revised statute in Office actions is provided by this attachment. This attachment also substitutes for any citation of the text of 35 U.S.C. § 102(e), if made, in the attached Office action.

The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 in view of the AIPA and H.R. 2215 that forms the basis for the rejections under this section made in the attached Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 prior to the amendment by the AIPA that forms the basis for the rejections under this section made in the attached Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

For more information on revised 35 U.S.C. § 102(e) visit the USPTO website at www.uspto.gov or call the Office of Patent Legal Administration at (703) 305-1622.